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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,476	07/01/2003	Robert E. Wycoff	PWYC0002/MRK	3301
29524 7590 04/30/2007 KHORSANDI PATENT LAW GROUP, A.L.C. 140 S. LAKE., SUITE 312 PASADENA, CA 91101-4710			EXAMINER COLAN, GIOVANNA B	
			ART UNIT 2162	PAPER NUMBER
			MAIL DATE 04/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/611,476	WYCOFF, ROBERT E.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Giovanna Colan	2162	

All participants (applicant, applicant's representative, PTO personnel):

(1) Giovanna Colan.

(3) Marilyn R. Khorsandi.

(2) Sana Al-Hashemi.

(4) \_\_\_\_.

Date of Interview: 25 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 23, 25 and 28.

Identification of prior art discussed: Kinght, Buck.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: During the interview, applicant discussed the claim objections referring to parentheses in claim language. Also, the proposed amendments were discussed during the interview.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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# Fax

**To:** Examiner Giovanna B. Colan

**From:** Marilyn R. Khorsandi

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**Fax:** (571) 273-2752

**Pages:** 6

**Phone:** (571) 272-2752

**Date:** April 19, 2007

**Re:** Patent Application Serial No.

**CC:**

10/611,476 - Outline for Telephonic

Interview Scheduled for 1:00 PM

(EST) Wednesday, April 25, 2007

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

Examiner Colan,

Please see the attached outline for the telephonic interview scheduled for Wednesday, April 25, 2007, 1:00 pm (eastern standard time). Respectfully submitted. Marilyn R. Khorsandi



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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicant(s):	Robert E. Wycoff
Serial No.:	10/611,476
Filed:	July 1, 2003
Title:	EMBEDDING INTERNET MESSAGE BOARD DISPLAY LINKS
Group Art Unit:	2162
Examiner:	Colan, Giovanna B.
Attorney Docket No.:	PWYC0002/MRK

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**OUTLINE FOR TELEPHONIC INTERVIEW IN RESPONSE  
TO OFFICE ACTION DATED JANUARY 24, 2007**

Examiner:

Thank you for scheduling a telephonic interview regarding the above-identified application for Wednesday, April 25, 2007, at 1 pm Eastern Standard time; 10 am Pacific Standard time.

Further to your request for an outline of topics to be discussed in the Telephonic Interview, the following discussion outline and sample proposed amendments to exemplary Claims 23, 25 and 28 are presented below for our discussion.

**OBJECTIONS TO THE CLAIMS AND RESPONSIVE REMARKS**

In the Office Action, Claims 23, 25 and 28 were objected to on the grounds of including parenthesis in the claim language. Office Action, Topic No. 6, p. 2. The Office Action did not cite any rule or section of the MPEP that proscribes the use of parenthesis to offset references to claim elements and/or claim steps.

The Manual of Patent Examination Procedure ("MPEP") describes only a few specific punctuation requirements for claim language. For example, MPEP § 608.01(m) requires that "[e]ach claim begins with a capital letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations."

The MPEP expressly allows parenthesis in claim language for certain circumstances. Specifically, MPEP § 608.01(m) allows the use of parentheses for enclosing reference characters corresponding to drawings. In particular, MPEP §

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608.01(m) explains that "[r]eference characters corresponding to elements recited in the detailed description and the drawings may be used ... reference characters, however, should be enclosed within parentheses ...."

Attorney of record for applicant would like to discuss the use of parenthesis to offset references to claim elements and/or claim steps, as used in the Claims of the present application, and as demonstrated, for example, in the claims of the issued Knight patent (U.S. Patent No. 6,515,681; "Knight"; asserted by the Office Action as a basis for Section 103 rejections).

**REJECTIONS UNDER SECTION 103(a)**

In the Office Action, Claims 23-28 were rejected under U.S.C. § 103(a) as being unpatentable over Knight in view of Buck, et al., (U.S. Patent No. 6,078,866, "Buck").

The rejections of the Claims have been carefully considered. Sample proposed amendments to exemplary Claims 23, 25 and 28 are presented below for our discussion.

During the course of the interview, reference may be made to the Office Action, the Specification of the present application, including the drawings and the claims, and/or the references of record, including the references cited in the Office Action dated January 24, 2007.

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**PROPOSED AMENDMENTS TO INDEPENDENT CLAIM 23**

23. (Currently Amended) An Internet-based computer system for generating a message board display of an Internet-based message board, said computer system comprising an at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective users;

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers, wherein each respective advertising offer of the plurality of advertising offers comprises:

1) a respective hypertext link to an advertising message, and

2) a corresponding fixed line number within a plurality of message board display lines for the message board display, for a display of the respective hypertext link;

C) generate the message board display comprising:

1) each user input message of the plurality of user input messages displayed at a respective variable line of the plurality of message board display lines, relative to the beginning of the message board display, according to a sort order of the plurality of user input messages, and

2) each respective hypertext link displayed at the corresponding fixed line number of the message board display, independent of the sort order.

**PROPOSED AMENDMENTS TO INDEPENDENT CLAIM 25**

25. (Currently Amended) An Internet-based computer system for generating a message board display of an Internet-based message board, said computer system comprising an at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective users;

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers, wherein each respective advertising offer of the plurality of advertising offers comprises:

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- 1) a respective hypertext link to an advertising message, and
- 2) a corresponding fixed line number within a plurality of message board display lines for the message board display, for a display of the respective hypertext link;

C) generate the message board display of the plurality of message board display lines comprising:

- 1) the plurality of user input messages, wherein a respective line at a respective variable line position of the plurality of message board display lines, relative to the beginning of the message board display is provided for a respective display of each respective user input message of the plurality of user input messages, wherein the respective variable line position is determined according to a sort order of the plurality of user input messages, and
- 2) each respective hypertext link at a display line at the corresponding fixed line number of the message board display, independent of the sort order.

**PROPOSED AMENDMENTS TO INDEPENDENT CLAIM 23**

28. (Currently Amended) An Internet-based computer system for generating a plurality of message board displays for a plurality of Internet-based message boards, said computer system comprising at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective message board users, wherein each respective user input message of the plurality of user input messages comprises:

- 1) a respective user message, and
- 2) a corresponding identification of a respective Internet-based message board of the plurality of Internet-based message boards on which the respective user message is to be displayed;

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers, wherein each respective advertising offer of the plurality of advertising offers comprises:




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- 1) a respective hypertext link to an advertising message,
  - 2) a corresponding identification of a respective Internet-based message board of the plurality of Internet-based message boards on which the respective hypertext link is to be displayed, and
  - 3) a corresponding identification of a fixed line number within a plurality of message board display lines for the respective Internet-based message board for a display of the hypertext link;
- C) for each respective Internet-based message board of the plurality of Internet-based message boards, generate a display comprising:
- 1) each respective user message for which the corresponding identification of a respective message board corresponds to the respective Internet-based message board, wherein a respective line at a respective variable line position relative to the beginning of the display is provided for display of the respective user message, wherein the respective variable line position is determined according to a sort order of the plurality of user input messages, and
  - 2) each respective hypertext link for which the corresponding identification of a respective Internet-based message board corresponds to the respective Internet-based message board, wherein the fixed line number within the plurality of message board display lines for the respective Internet-based message board is provided for display of the respective hypertext link, and wherein the fixed line number does not change according to the sort order.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, ALC

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